

EXHIBIT A

William Dorsch, 4/14/2015

1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JACQUES RIVERA,)	
)	
Plaintiff,)	
)	
vs.)	No. 12 C 4428
)	
REYNALDO GUEVARA, STEVE)	
GAWRYS, DANIEL NON, JOHN)	
GUZMAN, JOSEPH FALLON,)	
JOSEPH SPARKS, PAUL)	
ZACHARIAS, GILLIAN)	
McLAUGHLIN, JOHN LEONARD,)	
EDWARD MINGEY, RUSSELL)	
WEINGART, and the ESTATE)	
OF ROCCO RINALDI, Chicago)	
Police Detectives; and the)	
CITY OF CHICAGO,)	
)	
Defendants.)	

The deposition of WILLIAM DORSCH, taken pursuant to the Federal Rules of Civil Procedure, before Nicole M. Cheney, Certified Shorthand Reporter No. 084-0004744, at 321 North Clark Street, Suite 2200, Chicago, Illinois, on Tuesday, April 14, 2015, commencing at 10:40 a.m., pursuant to subpoena.

APPEARANCES:

LOEVY & LOEVY, by
MR. RUSSELL R. AINSWORTH
(312 North May Street, Suite 100
Chicago, Illinois 60607
312.243.5900
russell@loevy.com)
appeared on behalf of the plaintiff;

William Dorsch, 4/14/2015

398

1 Q. And where it says, Spoke to victim's
2 wife at 1530 hours 23 December, does that refresh
3 your recollection of actually speaking to the
4 victim's wife?

06:43PM 5 A. No.

6 Q. Okay. Have you seen -- are you aware
7 that Mr. Vargas, the witness who's referred to in
8 this case as the one who pointed -- picked out the
9 photograph, are you aware that Mr. Vargas has been
06:43PM 10 interviewed by the State's Attorney's Office in
11 this case?

12 A. Yes.

13 Q. Who told you that?

14 A. I think that was part of what I saw.

06:43PM 15 Q. Okay.

16 A. I think. Yes.

17 Q. So, in addition to the file that you
18 were sent by Northwestern, you were also sent
19 documents from the State's Attorney's Office
06:44PM 20 reflecting an interview or interviews with
21 Mr. Vargas; is that correct?

22 Can you mark this, please?

23 MS. ROSEN: You need to answer the question.

24 THE WITNESS: What question?

William Dorsch, 4/14/2015

399

1 MR. GIVEN: Answer my question.

2 THE WITNESS: What is it?

3 MR. GIVEN: You know what, let's mark it, and
4 then I'll ask you again.

5 (Deposition Exhibit No. 17,
6 Witness Dorsch, was marked for
7 identification 04/14/2015.)

8 BY MR. GIVEN:

9 Q. Can you take a quick look at
06:44PM 10 Exhibit 17, please?

11 A. Okay.

12 Q. And I won't ask you to read them right
13 now. I just want you to take a quick look and tell
14 me: Have you seen these documents before?

06:44PM 15 A. Yes.

16 Q. And were these documents included in
17 the package that you received from Northwestern,
18 whenever you received it, from whoever you received
19 it?

06:45PM 20 A. Yes.

21 Q. Okay. So when I asked you earlier if
22 you had anything other than the investigative file
23 and you told me, no, in fact, you also had these
24 documents, correct?

William Dorsch, 4/14/2015

400

1 A. Well, I assumed this was part of the
2 same thing.

3 Q. Oh, I see. Okay.

4 Did you review these as well?

06:45PM 5 A. No, not these. I was only interested
6 in what might have my name on it.

7 Q. So you received these documents, but
8 you didn't read them? I just want to be clear.

9 A. Yes.

06:45PM 10 Q. Okay. So today is the first day that,
11 if I asked you to read them, it would be the first
12 time you would actually have read what's in these
13 documents?

14 A. Correct.

06:45PM 15 Q. And prior to today, has anybody told
16 you that Mr. Vargas and Mr. Nelson were interviewed
17 by the State's Attorney's Office?

18 A. No.

19 Q. Haven't had any discussions with anyone
06:45PM 20 about what they might have said?

21 A. No.

22 Q. Nobody from Northwestern told you?

23 A. They told me they thought this was the
24 case.

William Dorsch, 4/14/2015

401

1 Q. Okay. Northwestern thought this was
2 the case?

3 A. Yeah.

4 Q. Okay. Have any discussions with
06:46PM 5 Mr. Ainsworth about this file and whether it is
6 or isn't the case?

7 A. I have said all along -- I mean, since
8 seeing this, I said there's too many discrepancies.

9 Q. I know. My question was: Have you had
06:46PM 10 any questions with Mr. Ainsworth --
11 A. No.

12 Q. -- anybody from Loevy & Loevy about it?

13 A. No.

14 Q. Who from Northwestern told you they
06:46PM 15 thought this was the case?

16 A. Karen Daniel, you know, when I was
17 there.

18 Q. Okay. Have you had any discussions
19 with Karen Daniel, since she told you that, to tell
06:46PM 20 her you thought she's wrong?

21 A. No.

22 Q. Okay. So I take it you're not aware
23 that Mr. Vargas has said that he does not
24 remember -- that, in fact, no police officer tried

William Dorsch, 4/14/2015

402

1 to guide him to pick out any photographs or told
2 him what to say or do? You're not aware of that?

3 A. Is that the handwritten?

4 Q. That's the affidavit on the front page
06:47PM 5 that is 27106, third paragraph down: I remember
6 looking at photos. No police officer tried to

7 guide me to pick out any photos or told me what to
8 say or do.

9 A. No, I have no recollection.

06:47PM 10 Q. You have not --

11 A. I didn't see it -- or I didn't look at
12 it.

13 Q. Okay. So today, right now, is the
14 first time you've heard that -- that you have any
06:47PM 15 awareness that Mr. Vargas said what he said in this
16 affidavit; is that correct?

17 A. Yes.

18 Q. And the same would be true for the
19 handwritten affidavit that follows in the next
06:47PM 20 three pages?

21 A. Yes.

22 Q. Okay. Let me ask you -- and that --
23 the same is true for all the pages, all the
24 documents in this exhibit? They were sent to you,

William Dorsch, 4/14/2015

403

1 but you didn't look at them or read them; is that
2 right?

3 A. Correct.

4 Q. Okay. Did you see that one of the
06:48PM 5 documents that was sent to you that you didn't look
6 at was a photograph?

7 A. I don't know if I -- I don't think I
8 even looked at it.

9 Q. Okay. Well, are you --

10 A. Yeah.

11 Q. -- looking at it now, 27110?

12 Do you recognize that person?

13 A. No.

14 Q. Okay.
06:48PM 15 A. This is supposed to be a 15-year-old
16 kid?

17 Q. No. That would be Spanky, Sam Perez.

18 A. No idea.

19 Q. Okay. So, in the case that you were
06:48PM 20 talking about in the two postconviction
21 proceedings, is it fair to say that you didn't
22 really follow the truth wherever it led you
23 regardless, correct?

24 MR. AINSWORTH: Object to the form of the